

REMARKS

Claims 1-3 and 5-9 have been amended by the foregoing, and new Claims 10-13 are presented for examination. Claims 1-13 are pending in the application.

In view of the foregoing amendments and the following remarks, reconsideration, reexamination, and allowance of the present application is respectfully requested.

Initially, the Examiner is thanked for returning an initialed copy of the Information Disclosure Statement submitted by the Applicants on August 2, 2001. The Examiner is also thanked for indicating that all of the certified copies of the priority documents have been received from the International Bureau.

Page 2 of the Office Action sets forth an objection to the specification as not including an Abstract of the Disclosure. Though it is believed that the Applicants have already complied with the requirement to submit an Abstract in the International Application in accordance with M.P.E.P. § 1893.03(a), a new Abstract is enclosed herewith. Accordingly, withdrawal of the objection to the Specification as not containing an Abstract of the Disclosure is respectfully requested.

Pages 2-4 of the Office Action set forth a rejection of Claims 1-9 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicants regard as the invention. Claims 1-9 have been amended to address each of the concerns set forth in the Office Action. In addition, Claims 10 and 11 have been presented to recite some of the subject matter previously included in Claims 1 and 9.

Accordingly, withdrawal of the rejection of Claims 1-9 under 35 U.S.C. §112, second paragraph, is respectfully requested.

Page 4 of the Office Action sets forth a rejection of Claims 1-5 and 9 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,827,255 to *Crainic*.

Claim 1 has been amended to include some of the subject matter previously set forth in Claim 6. In particular, Claim 1 has been amended to recite that a wetting region comprises partially neutralized superabsorbent material, the partially neutralized superabsorbent material having a degree of neutralization between 20% and 50%, and a region outside of the wetting region includes a superabsorbent material having a degree of neutralization greater than the neutralization of the partially neutralized superabsorbent material, the wetting region comprising at least 40% by weight superabsorbent material.

Support for amended Claim 1 is found at Claim 6 and in the specification at least at page 5, lines 4-23, page 22, lines 13-28. In particular, the specification at page 22 describes that the area of the crotch area has partially neutralized superabsorbent material with a lower degree of neutralization compared to the end portions of the article.

Crainic does not disclose an absorbent structure having each of these features. As one example, *Crainic* does not disclose a region outside of the wetting region which has a superabsorbent material having a degree of neutralization greater than the degree of neutralization of the partially neutralized superabsorbent material. *Crainic* discloses a layered structure which includes one retention layer which includes a hydrogel forming polymeric gelling agent. In the preferred embodiment of *Crainic*, the retention layer includes a layer of superabsorbent polymer material disposed between the two air-laid

tissues 40 and 43. See col. 6, lines 32-35. There is no mention in *Crainic* of a wetting region. Moreover, there is no disclosure of a region outside of a wetting region, with the superabsorbent material in the region outside of the wetting region having a degree of neutralization greater than the degree of neutralization of the partially neutralized superabsorbent material. Nor does *Crainic* provide any indication that including a superabsorbent material with a higher degree of neutralization in a region outside of the wetting region would be desirable.

Because *Crainic* does not disclose an absorbent structure having all of the features of Claim 1, *Crainic* cannot anticipate Claim 1 or dependent claims 2-5 and 9. For at least the foregoing reasons, Applicants request reconsideration and withdrawal of the rejections of Claims 1-5 and 9 under 35 U.S.C. §102(e) based on *Crainic*.

Pages 5 and 6 of the Office Action set forth a rejection of Claims 1-3 and 5-9 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,599,335 to *Goldman et al.* in view of U.S. Patent No. 5,977,014 to *Plischke et al.* As Claim 1 has been amended to include some of the features of Claim 6, the following discussion addresses the rejections of both Claim 1 and 6 in the Office Action.

Goldman et al. is directed to absorbent members having a hydrogel-forming absorbent polymer intended to reduce or limit gel-blocking with particular values of saline flow conductivity (SFC) and performance under pressure (PUP). The SFC of the polymer in *Goldman et al.* is at least about 30×10^{-7} cm³ sec/g and the PUP capacity is at least about 23 g/g under a confining pressure of .7 psi, and a basis weight of at least about 10 gsm. See column 6, line 65 through column 7, line 6. As disclosed at column 9, lines 48-55, the

hydrogel-forming absorbent polymers "comprise from about 50 to about 95%, and preferably about 75%, neutralized, slightly network-crosslinked, polyacrylic acid".

In rejecting Claim 6, the Office Action points to column 9, lines 62-67 and column 31, lines 25-50 of *Goldman et al.* as disclosing a partially neutralized polymer in a target zone and a conventional polymer being in the second zone. It is first noted that neither Claim 1 nor Claim 6 recites a target zone or a second zone. It is therefore assumed that the Office Action may have intended to recite a wetting zone and a region outside of the wetting zone.

Goldman et al. and *Plischke et al.* do not disclose or suggest, either singly or in combination, the absorbent structure having the features set forth in Claim 1. In particular, *Goldman et al.* does not disclose a wetting region having a partially neutralized superabsorbent material having a degree of neutralization between 20 and 50%, and a region outside of the wetting region comprising a superabsorbent material having a degree of neutralization greater than the degree of neutralization of the partially neutralized superabsorbent material. The Office Action points to column 9, lines 48-54, column 9, lines 62-67, and column 31, lines 25-50 as disclosing these features. However, column 9, lines 48-54 discloses only a superabsorbent material which is from about 50 to 95%, and preferably about 75%, neutralized, and does not disclose two superabsorbent materials, each having a different degree of neutralization. The text at column 31 of *Goldman et al.* discloses two hydrogel-forming absorbent polymer layers, the first layer having particular values of SFC, and the second layer having at least the SFC and PUP capacity values of the section B(1)(b), with at least about 70% of the total amount of the second hydrogel-forming

absorbent polymer that is in the upper and lower layers is in the lower half of the combined thickness of the upper and lower layers. *Goldman et al.* B(1)(b) at column 11, line 15 through column 12, line 33 discloses superabsorbent materials with ranges for SFC and PUP. Nothing in these portions of *Goldman et al.* indicates that the two different layers have different degrees of neutralization or that the degree of neutralization is between 20 and 50% in the wetting region and that the degree of neutralization is greater than that in the wetting region. Nor does the text at column 9, lines 65-67 of *Goldman et al.* disclose or suggest providing an area outside of the wetting region with a superabsorbent material having a degree of neutralization greater than that in the degree of neutralization of the partially neutralized superabsorbent material. The only portion of *Goldman et al.* which refers to the degree of neutralization is found at column 9, lines 48-55. This portion of *Goldman et al.* does not disclose any variation between the neutralization degree of superabsorbents materials in different regions in an absorbent structure.

Plischke et al. discloses an absorbent composite structure which includes one or more layers having superabsorbent polymers, the polymers including precursor particles which can comprise from about 50% to about 95%, preferably about 75%, neutralized, slightly network crosslinked, polyacrylic acid. See column 9, lines 25-46. Nothing in *Plischke et al.* discloses including two regions with superabsorbent materials, each of the superabsorbent materials having a different degree of neutralization.

For at least this reason, even the hypothetical combination of *Goldman et al.* with *Plischke et al.* would not result in an absorbent structure having all of the features of Claim

1. Therefore, Claim 1 is patentably distinct over the disclosure of *Goldman et al.* and *Plischke et al.*

The dependent claims are believed to be allowable for at least the same reason that Claim 1 is allowable. Nonetheless, a few comments regarding several of the dependent claims are provided below to expedite prosecution.

Claim 2 recites that the degree of neutralization of the partially neutralized superabsorbent material is between 25 and 35% neutralized. Neither *Goldman et al.* nor *Plischke et al.* discloses the use of a partially neutralized superabsorbent material with a degree of neutralization of between 25 and 35%. Each of *Goldman et al.* and *Plischke et al.* discloses a neutralization range of about 50% to 95%, and preferably 75%. Accordingly, even the hypothetical combination of *Goldman et al.* and *Plischke et al.* would not have all of the features of Claim 2.

Claim 7 recites that the absorbent structure comprises a first zone closer to the wearer including the partially neutralized superabsorbent material having a degree of neutralization between 20 and 50%, and a second zone located beneath the first zone in a direction from the wearer of the absorbent article, the second zone comprising superabsorbent material having a degree of neutralization which is greater than the degree of neutralization of the partially neutralize superabsorbent material. As described in the paragraphs discussing Claim 1, neither *Goldman et al.* nor *Plischke et al.* discloses a structure having two different regions or zones, each of which has a different degree of neutralization, one of the zones having partially neutralized superabsorbent material with a

degree of neutralization being between 20 and 50%, and the other zone having superabsorbent material with a greater degree of neutralization.

The remaining dependent claims have not been addressed at this time.

For at least the foregoing reasons, Applicants respectfully request withdrawal of the rejection of Claims 1-9.

New Claims 10 and 11 set forth some of the subject matter previously recited in Claims 1 and 9. Accordingly, Claims 10 and 11 are believed to be allowable for at least the same reasons that Claim 1 is allowable.

New Claims 13 and 14 are set forth to present subject matter to which the Applicants are believed to be entitled, some of which was previously recited in Claim 7. Independent Claim 13 recites that a first zone is placed closer to the wearer and includes partially neutralized superabsorbent material, while a second zone located beneath the first zone includes a superabsorbent material having a degree of neutralization greater than the partially neutralized superabsorbent material. Claim 14 recites that the superabsorbent material having a greater degree of neutralization has a degree of neutralization of about 70%. Support is found at least at the paragraph bridging pages 22 and 23 of the specification, which describes that liquid will spread from the zone having the lower degree of neutralization to the zone containing the superabsorbent material having about the 70% degree of neutralization.

None of the references, either singly or in combination, disclose or suggest an absorbent article with the combination of features of Claims 13 or 14.

Should the Examiner have any questions regarding this Amendment, or regarding the application in general, she is cordially invited to contact the undersigned at the number listed below.

Respectfully submitted,

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